

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Servants – Revenue Department – Allegation of corruption against Sri Perimishetty Lingam @ Lingaiah, S/o.Sri Muthenna, Village Revenue Officer, Morthad Village and Mandal, Nizamabad District – Trapped by the Anti-Corruption Bureau Officials on 10-07-2009 – Sanction of Prosecution – Orders – Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 1281

Dated:11-10-2010.

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ORDER:

Whereas, Sri Perimishetty Lingam @ Lingaiah, S/o.Sri Muthenna worked as Village Revenue Officer, Morthad Village and Mandal, Nizamabad District from 07-02-2007 to 10-07-2009 and by virtue of the post held by him, he falls under the category of "Public Servant" as defined under clause (c) of section of 2 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, Sri Muddam Thimmaiah S/o.Sri Chittari, age:54 years, Occupation: Agricultural labour, R/o.Dubba Village, Morthad Mandal, Nizamabad District, is a poor man and he is not having any agriculture land. About 30 years ago, he along with his villagers enjoying Government land in Sy.No.665 situated at Morthad Village & Mandal and eking lively hood by cultivating one acre land. The co-villagers who are enjoying the land along with him have got pattas in their favour, but Sri M.Thimmaiah's son did not get patta. Sri M.Thimmaiah went around the office of the Tahsildar and Village Revenue Officer, but nobody cared Sri M.Thimmaiah. On 25-02-2009 his son lodged a petition to the Tahsildar, Morthad and the Tahsildar endorsed it to the Village Revenue Officer, Morthad for enquiry and report and gave it to Sri M. Thimmaiah, who in-turn handed over the same to the Village Revenue Officer, who demanded Rs.6,000/- as bribe to submit his enquiry report to the Tahsildar to do favour to him for getting Patta, otherwise he will see that he will not get the land. In spite of repeated requests that he is poor and cannot offer such huge amount, the Village Revenue Officer Sri P.Lingam @ Lingaiah did not accept to attend the work. Sri M.Thimmaiah went around Sri P.Lingam @ Lingaiah, Village Revenue Officer, Morthad but in vain. Again on 07-07-2009, Sri M.Thimmaiah met the Village Revenue Officer Sri P.Lingam @ Lingaiah and expressed his inability to pay such a huge amount and requested to reduce the demand of bribe to Rs.5,000/-. Under unavoidable circumstances he accepted to pay the bribe. The Village Revenue Officer Sri P.Lingam @ Lingaiah instructed Sri M.Thimmaiah to bring the same on 10-07-2009 and to pay at his

Contd..P-2.

office. As Sri M.Thimmaiah is not willing to pay any bribe to get his work done, he approached the Deputy Superintendent of Police, Anti- Corruption Bureau, Nizamabad Range on 07-07-2009 at 04:00 P.M. with a request to take necessary action against Sri P.Lingam @ Lingaiah, Village Revenue Officer, Morthad Village & Mandal, Nizambad District;

3. And whereas, as per the instructions of the Deputy Superintendent of Police, Anti- Corruption Bureau, Nizamabad Range the oral statement of Sri M.Thimmaiah was recorded into writing in Telugu by Sri S.Bal Reddy, Head Constable-47, Anti-Corruption Bureau, Nizamabad Range. The contents of the complaint were read over and explained to Sri M.Thimmaiah, who admitted it as correct, signed and handed it over to the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad Range for taking further necessary action;

4. And whereas, the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad Range after due verification of the complaint, registered the complaint of Sri Muddam Thimmaiah, as a case in Cr.No.19/ACB-NZB/2009 on 10-07-2009 at 08:00 A.M., under section 7 of the Prevention of Corruption Act 1988 (Act 49 of 1988) and took up investigation;

5. And Whereas, Sri Perimishetty Lingam demanded and accepted a bribe of Rs.5,000/- from Sri Muddam Thimmaiah, S/o.Sri Chittari, Age:54 years, Occupation: Agricultural labour, R/o.Dubba Village, Morthad Mandal, Nizambad District on 10-07-2009 at his office through Sri Yemmaji Hanma Goud, as an illegal gratification other than legal remuneration and he was trapped by the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizambad Range. Both the hand fingers of Sri Perimishetty Lingam @ Lingaiah proved negative result when subjected to Sodium Carbonate test. The Sodium Carbonate solution test conducted on both the hand fingers of Sri Y.Hanma Goud, yielded positive results. The tainted currency of Rs.5,000/- was recovered from the table drawer of Sri Y.Hanma Goud, who is a retired Senior Assistant in Revenue Department. The contract portions of the inner side of the table drawer with the tainted currency yielded positive result when it was subjected for chemical test;

6. And whereas, the said acts of Sri Perimishetty Lingam @ Lingaiah, Village Revenue Officer, Morthad Village and Mandal, Nizamabad District constitute offences punishable under section 7 and clause (d) of sub-section (1) of section 13 read-with sub-section (2) of section 13 of the Prevention of Corruption Act, 1988 (Act of 49 of 1988);

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7. And whereas, the Government of Andhra Pradesh, being the competent authority to remove Sri Perimishetty Lingam @ Lingaiah, Village Revenue Officer, Morthad Village and Mandal, Nizambad District from Govt. service having fully and carefully examining the material i.e., copies of First Information Report, Mediators' Report-I & II, statements of witnesses and Final Report of the Director General, Anti-Corruption Bureau, Andhra Pradesh, Hyderabad placed before them in respect of the said allegations and having regard to the facts and circumstances of the case, consider that the said Sri Perimishetty Lingam @ Lingaiah, Village Revenue Officer, Morthad Village and Mandal, Nizambad District should be prosecuted in a court of law for the aforesaid offences;

8. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of Section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Perimishetty Lingam @ Lingaiah, Village Revenue Officer, Morthad Village and Mandal, Nizamabad District, for the offences punishable under section 7 and sub-section (2) of section 13 read-with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act of 49 of 1988) and for any other cognate offences punishable under any other provisions of law, for the time being in force in respect of the above said acts and also for taking cognizance of the said offence by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.

//Forwarded By order//

Section Officer